

NORTHERN IRELAND VALUATION TRIBUNAL
THE RATES (NORTHERN IRELAND) ORDER 1977 (AS AMENDED) AND THE
VALUATION TRIBUNAL RULES (NORTHERN IRELAND) 2007 (AS AMENDED)

CASE REFERENCE NUMBER: NIVT 2/19

MS C ROSBOROUGH and MR D KINCAID – APPELLANTS

AND

COMMISSIONER OF VALUATION FOR NORTHERN IRELAND – RESPONDENT

Northern Ireland Valuation Tribunal

Chairman: Francis J Farrelly

Members:

Ms Angela Matthews (Lay)

and

Hugh McCormick (Valuer)

Date of hearing: 16th September 2020 via SightLink 16

DECISION

The unanimous decision of the tribunal is that the Decision of the Commissioner of Valuation for Northern Ireland is upheld, and the appellant's appeal is dismissed.

REASONS

Introduction

1. This appeal relates to the valuation of £145,000 placed upon 6 Grangewood Park, BT47 5SH. The relevant valuation date in accordance with the legislation is as on 1 January 2005.
2. The appeal is being conducted remotely because of Covid restrictions and only the members of the tribunal have appeared to each other via video link.
3. For the appeal we have been provided with a bundle consisting of 4 items. Within this is a bundle entitled 'Presentation of Evidence' prepared by the respondent. It includes photographs of the house and garage. Appendix 1 contains photographs of properties used as comparators: namely, numbers 3, 4, 7 and 10 Grangewood

Park. All are detached and of similar chalet design, constructed between 1966 and 1990.

4. Like the subject property, numbers 3 and 10 are described as 1.5 storey. They are assessed respectively as having a habitable space of 169 m² and a garage of 28 m² and 168 m² and a garage of 18 m². They have been valued at £140,000. The subject property is larger at 173.3 m and a garage of 41.1 m².
5. 4 and 7 Grangewood Park are single storey with 159 m² and 156 m² habitable space and garages of 19 m² and 18 m² respectively. They are valued at £120,000.
6. The appellant's home had originally been valued at £120,000 which was then increased to £145,000 considering works carried out to the property resulting in an additional 29.3 m² of habitable space.
7. Following an appeal to the Commissioner of Valuation an inspection was carried out on 2 April 2019 resulting in no change to the increased valuation. An appeal was then made to the Valuation Tribunal. The respondent suggests that the new valuation is fair and reasonable in comparison with similar properties.
8. The appellants in their notice of appeal accept the comparators used are appropriate and the only distinguishing feature is the difference in sizes of the respective properties. They question the proportionality of the increase in valuation in relation to the size of the extension. They suggest if valuations are calculated on a square metre basis there is a discrepancy between the values placed upon the 11 properties identified and their square metres.
9. The respondent's Presentation of Evidence refers to the decision of Ashraf Ahmed -v- The Comm. Of Valuation (NIVT 12/15) where the valuation Tribunal stated that capital value is not determined by an arithmetical process of applying the square metres of the respective comparators. Rather, the question is what the property might reasonably have been expected to realise if sold on the open market at the relevant date bearing in mind the values of properties in the valuation list.

Consideration

10. There is a statutory presumption in Article 54(3) of the 1977 Order that “On an appeal under this Article, any valuation shown in the valuation list with respect to a hereditament shall be deemed to be correct until the contrary is shown.” It is therefore up to the appellant in any case to challenge and to displace that presumption. The general rule as to the basis of the value to be considered is contained in article 7(1) of the 1977 Order. The capital value of a hereditament shall be the amount which, on the assumptions mentioned in the legislation the property might reasonably have been expected to realise if it had been sold on the open market by a willing seller on the relevant capital valuation date. Regard shall be had to the capital values of comparable properties.

11. Valuation is not simply the mechanical application of a mathematical calculation based on size. It does not follow that if one house is 25% bigger than another its value will be 25% more. Consequently, evaluation exercise cannot be performed by simply taking the size of the comparators, working out a mean average per square metre and then applying this, for instance, to the additional space created by an extension.

12. Size is of course a relevant consideration when valuing a house albeit not based on pure mathematical formula. This is the approach taken by the respondent as set out in points 1 to 4 of the Presentation of Evidence. We find the properties used are reliable comparators. The appellants do not take issue with this. The respondent has factored in the varying sizes in relation to the various valuations but not in a purely mechanical way. In our view this is a fair and reasonable comparison.

Signed: Mr Francis Farrelly – Chairman

Northern Ireland Valuation Tribunal

Date decision recorded in register and issued to the parties: 11 November 2020